# Exhibit A
## PARTIES' PROPOSED CLAIM CONSTRUCTIONS

**Parties' Proposed Claim Constructions**

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|---|---|---|---|---|
| | | | U.S. Patent Nos. 5,715,314 and 5,909,492 | |
| | Claim Term, Phrase, or Clause and Patent(s) and Claim(s) in which it appears | Constr. Requested By | Soverain's Proposed Construction | Defendants' Proposed Construction(s) |
| 1. | Shopping cart computer<br><br>'314 patent:<br>claims 34, 35, 39, 49, 74, 84, 109, 134, 144<br><br>'492 patent:<br>claims 17, 18, 35, 36 | defendants | Soverain and Newegg adopt the *Amazon* Markman Order construction<br><br>"a computer processing data associated with one or more shopping carts"<br><br>subject to Newegg's right of appeal | |
| | | | | <u>Systemax & TigerDirect</u><br>a computer processing data associated with one or more shopping carts but is not operated by an operator of a merchant computer |
| 2. | Shopping cart message<br><br>'314 patent:<br>claims 34, 39, 84, 144<br><br>'492 patent:<br>claims 17, 18, 35, 36 | defendants | The parties adopt the *Amazon* Markman Order construction<br><br>"a message concerning a shopping cart"<br><br>subject to the defendants' right of appeal | |

1

| | U.S. Patent Nos. 5,715,314 and 5,909,492 | | | |
|---|---|---|---|---|
| | Claim Term, Phrase, or Clause and Patent(s) and Claim(s) in which it appears | Constr. Requested By | Soverain's Proposed Construction | Defendants' Proposed Construction(s) |
| 3. | Payment message<br><br>'314 patent:<br>claims 34, 35, 39, 49, 74, 109, 134<br><br>'492 patent:<br>claim 17, 18, 35, 36 | defendants | a message relating to a payment for one or more products | a message relating to a payment for one or more products, containing an authenticated user's payment information and sent to the buyer computer |
| 4. | To cause said payment message to be activated to initiate a payment transaction<br><br>'314 patent:<br>claims 34, 39<br><br>'492 patent:<br>claim 17, 18, 35, 36 | defendants | to cause an action associated with said payment message to initiate a payment transaction<br><br>*See* term 3 | upon request of the authenticated user, the buyer computer causes the submission of said payment message |

2

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|---|---|---|---|---|
| U.S. Patent Nos. 5,715,314 and 5,909,492 | | | | |
| 5. | A Shopping Cart URL<br><br>'314 patent:<br>claims 60, 65, 120, 125 | defendants | a URL concerning a shopping cart | a standard HTTP request message send by the buyer computer to the shopping cart computer which causes the shopping cart computer to modify content of a shopping cart and includes URL with a product identifier, a domain identifier, a payment amount, a merchant computer identifier, a merchant account identifier, a duration time, an expiration time, and a shopping cart URL authenticator |
| 6. | Hypertext link<br><br>'492 patent:<br>claim 15, 16 | defendants | a non-sequential web association which the user can use to navigate through related topics | text in a document that forms a navigational element pointing, for example, to another document, or form, or resource |
| 7. | A statement URL<br><br>'492 patent:<br>claim 41, 76 | defendants | a URL concerning a statement | a standard HTTP request message with URL to the Statement Document including its path on the server on which it resides |

3

| | Claim Term, Phrase, or Clause and Patent(s) and Claim(s) in which it app | Constr. Requested By | Soverain's Proposed Construction | Defendants' Proposed Construction(s) |
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| | | | **U.S. Patent No. 7,272,639** | |
| 8. | Service request<br><br>'639 patent:<br>claims 1, 10, 60, 65, 78, 79 | defendants | The parties adopt the Amazon Markman Order construction<br><br>"a solicitation of services from a client to a server.  A service request may entail the exchange of any number of messages between the client and the server."<br><br>subject to the defendants' right of appeal | |
| 9. | Session identifier<br><br>'639 patent:<br>claims 1, 10, 47, 63, 78, 79 | defendants | The parties adopt the *Amazon* Markman Order construction<br><br>"a text string that identifies a session"<br><br>subject to the defendants' right of appeal | |
| 10. | Session<br><br>'639 patent:<br>claims 1, 10, 47, 63, 78, 79 | defendants | The parties adopt the Amazon Markman Order construction<br><br>"a series of requests and responses to perform a complete task or set of tasks between a client and a server system"<br><br>subject to the defendants' right of appeal | |

4

| | | | U.S. Patent No. 7,272,639 | |
|---|---|---|---|---|
| | Claim Term, Phrase, or Clause and Patent(s) and Claim(s) in which it app | Constr. Requested By | Soverain's Proposed Construction | Defendants' Proposed Construction(s) |
| 11. | the stored session identifier<br><br>'639 patent: claim 1 | defendants | Plain meaning applies; this term does not require construction<br><br>*See* terms 9, 10 | a session identifier that is recorded in computer storage without other information, excluding standard browser formats common to the Web on or before June 7, 1995. |
| 12. | subsequent distinct requests<br><br>'639 patent: claims 1, 79 | defendants | Plain meaning applies; this term does not require construction<br><br>*See* term 8 | every request for a separate and different service |
| 13. | Validating, at the server system, the appended session identifier /<br><br>validating the session identifier appended to the service request<br><br>'639 patent: claims 47, 78 | defendants | at the server system, determining the validity of the appended session identifier /<br><br>determining the validity of the session identifier appended to the service request<br><br>*See* term 9 | checking that the session identifier is valid without resort to information stored elsewhere, such as in the server system |

5

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| | U.S. Patent No. 7,272,639 | | | |
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| | Claim Term, Phrase, or Clause and Patent(s) and Claim(s) in which it app | Constr. Requested By | Soverain's Proposed Construction | Defendants' Proposed Construction(s) |
| 14. | A purchase request / a request for purchase<br><br>'639 patent:<br>claim 60 | defendants | One or more messages requesting a purchase | a service request including a user identifier in which a buyer initiates a payment transaction for product(s) the buyer wishes to purchase |
| 15. | Creating, responsive to the initial service request, the session identifier<br><br>'639 patent:<br>claim 79 | defendants | producing, in response to the initial service request, the session identifier<br><br>*See* terms 9, 17 | creating, based on a type of the first request for service, the session identifier |
| 16. | Hyperlink<br><br>'639 patent:<br>claim 62 | defendants | a non-sequential web association which the user can use to navigate through related topics | a navigational element pointing, for example, to another document, or form, or resource |
| 17. | Initial service request<br><br>'639 patent:<br>claims 10, 79 | Soverain | the first service request in a session<br><br>*See* terms 8, 10 | the first request for service |
| 18. | Controlled document<br><br>'639 patent:<br>claim 47 | Soverain | a document that can be accessed when one or more conditions are met | a document for which authentication is required |

6